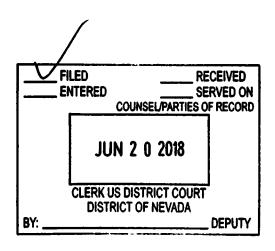
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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MARCO DE LA CUESTA,

Plaintiff,

v.

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APTTUS CORPORATION, a Delaware Corporation; DOES I-X, inclusive,

Defendants.

Case No. 2:17-cv-00967-RFP-VCF

AMENDED STIPULATED DISCOVERY PLAN AND SCHEDULING ORDER

SUBMITTED IN COMPLIANCE WITH LR 26-1(b)

All parties of record participated in the meeting required under Fed. R. Civ. P. 26(f) and which was held on **June 15, 2018**. Pursuant to Fed. R. Civ. P. 26(f) and LR 26-1(e), the parties do hereby stipulate to the following discovery plan and scheduling order.

- 1. Initial Disclosures: The initial disclosures to be made pursuant to Fed. R. Civ. P. 26(a)(1) have already been made.
- 2. **Discovery Cut-Off Date(s):** Discovery will take 120 days from **June 15, 2018**, which is the current discovery cutoff date. This means all discovery must be commenced in time to be completed by **October 12, 2018**.

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- 3. Interim Status Report: The interim status report may be filed no later than August 13, 2018, which is not later than sixty (60) days before the discovery deadline.
- 4. Amending the Pleadings and Adding Parties: The last day to file motions to amend pleadings has expired.
- 5. Fed. R. Civ. P. 26(a)(2) Disclosures (Experts): The disclosure of experts and expert reports shall occur by August 13, 2018, which is not later than sixty (60) days before the discovery deadline. Disclosure of rebuttal experts and their reports shall occur by September 12, 2018, which is not later than thirty (30) days before the discovery deadline.
- 6. **Dispositive Motions:** Dispositive motions may be filed no later than **November 9**, **2018**, which is thirty (30) days after the discovery deadline. In the event that the discovery period is extended from the discovery cut-off date set forth in this Joint Discovery Plan and Scheduling Order, the date for filing dispositive motions shall be extended for the same duration, to be no later than thirty (30) days from the subsequent discovery cut-off date.
 - 7. **Settlement:** Settlement cannot be evaluated at this time.
- 8. Pretrial Order: The pretrial order shall be filed by December 7, 2018, which is not later than thirty (30) days after the date set for filing dispositive motions. In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days after the decision of the dispositive motions or until further order of the Court. In the further event that the discovery period is extended from the discovery cut-off date set forth in this Joint Discovery Plan and Scheduling Order, the date for filing the joint pretrial order shall be extended in accordance with the time period set forth in this paragraph.
- 9. Later Appearing Parties: A copy of this discovery plan and scheduling order shall be served on any person served after it is entered or, if additional defendants should appear, within five (5) days of their first appearance. This discovery plan and scheduling order shall apply to such later appearing party, unless the Court, on motion and for good cause shown, orders otherwise.
- 10. Extensions or Modifications of the Discovery Plan and Scheduling Order: LR
 26-4 governs modifications or extensions of this discovery plan and scheduling order. Any

stipulation or motion must be made in accordance with LR 26-4, and not later than twenty-one (21) days before the deadline for which the extension is sought, including the discovery deadline which is September 21, 2018.

- 11. Fed. R. Civ. P. 26(a)(3) Disclosures: The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be included in the pretrial order.
- 12. The undersigned certify they discussed the possibility of using alternative dispute resolution and considered consenting to trial by a U.S. Magistrate Judge in accordance with Local Rule 26-1(7) and (8).
- 13. The attorneys of record in this matter are registered for electronic filing with this Court. Any documents electronically filed with this Court are deemed to be sufficiently served on the other party as of the date that the document is electronically filed with the Court.
- 14. **Electronic Information:** The parties have had several issues about disclosures or discovery of electronically stored information, including the form or forms in which it should be produced. The parties shall meet and confer and otherwise work in good faith with respect to the production of electronically stored information in an effort to resolve any dispute that may arise.
- 15. **Privileged or Protected Documents:** The Court has entered a stipulated protective order (ECF No. 32).

Dated this 15th day of June, 2018.

MICHAEL J. MORRISON, CHTD. /s/ Michael J. Morrison

Michael J. Morrison 1495 Ridgeview Dr., Suite 220 Reno, NV 89519

Attorney for Plaintiff Marco De La Cuesta

There shall be us order. UC

JACKSON LEWIS P.C. /s/ Phillip Thompson

Lisa A. McClane, Bar #10139 David Montgomery, Ohio Bar #40276 Phillip Thompson, Bar #12114 3800 Howard Hughes Pkwy., Ste. 600 Las Vegas, Nevada 89169

Attorney for Defendant Apttus Corporation

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U.S. MAGISTRATE JUDGE

DATED: Jun 20, 30/8

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JACKSON LEWIS P.C. LAS VEGAS

Case 3:17-cv-00520-MMD-VPC Document 51 Filed 06/15/18 Page 4 of 4 **ORDER** IT IS SO ORDERED. United States District/Magistrate Judge JACKSON LEWIS P.C. LAS VEGAS